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Attorneys for Defendant Riot Games, Inc.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARC WOLSTENHOLME,  
Plaintiff,  
v.  
RIOT GAMES, INC.,  
Defendant.

Case No.

**NOTICE OF REMOVAL OF  
ACTION BY DEFENDANT RIOT  
GAMES, INC.**

**PLEASE TAKE NOTICE** that Defendant Riot Games, Inc. (“Riot”), by and through its undersigned counsel and pursuant to [28 U.S.C. § 1441 and § 1446](#), and in accordance with [28 U.S.C. § 1331](#) and 28 U.S. Code § 1338, hereby removes the above-captioned matter from the Superior Court for the County of Los Angeles (the “Superior Court”) to the United States District Court for the Central District of California. As set forth in further detail below, the Superior Court action arises under the Copyright Act, 17 U.S.C. § 101, *et seq.*, and is therefore subject to this Court’s exclusive jurisdiction. In support thereof, Riot Games respectfully states as follows:

1. Plaintiff Marc Wolstenholme (“Wolstenholme”) commenced a civil action on October 19, 2024 in the Superior Court for the County of Los Angeles, Case No. 24-STCV-28643 (the “State Court Action”). Wolstenholme is representing himself *pro se*.

1 infringement” under 17 U.S.C. § 501 and is therefore an action arising under the  
 2 Copyright Act. *JustMed, Inc. v. Byce*, 600 F.3d 1118, 1124 (9th Cir. 2010)  
 3 (jurisdiction proper where “the complaint asks for a remedy expressly granted by  
 4 the Copyright Act”).

### 5 6 **TIMELINESS OF REMOVAL**

7 5. Riot’s removal is timely under 28 U.S.C. § 1446(b) as it is being filed  
 8 “within 30 days after receipt by the defendant, through service, or otherwise, of a  
 9 copy of the initial pleading setting forth the claim for relief upon which such action  
 10 . . . is based.”

11 6. The Complaint and Summons were served on Riot on December 5,  
 12 2024. *Murphy Bros. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 356 (1999)  
 13 (when Complaint and Summons served concurrently, thirty-day period for removal  
 14 begins from the date of service of process); *see also Chacon v. San Bernardino*, No.  
 15 5:24-CV-00140-MRA-SHK, 2024 WL 4291248, at \*6 (C.D. Cal. July 19, 2024),  
 16 *report and recommendation adopted*, 2024 WL 4291855 (C.D. Cal. Sept. 24, 2024)  
 17 (“Thus, the thirty-day period for removal commences from the date of proper  
 18 service of process, not by mere receipt of the complaint without any formal  
 19 service.”).

### 20 21 **REMOVAL PROCEDURES**

22 7. Venue is proper in this district under 28 U.S.C. § 1441(a) because this  
 23 district embraces the place where the removed action has been pending.

24 8. True and correct copies of all pleadings filed in the State Court Action  
 25 are attached hereto as Exhibits A through J pursuant to 28 U.S.C. § 1446(a).

26 9. As required by 28 U.S.C. § 1446(d), Riot will promptly file a copy of  
 27 this Notice of Removal with the Clerk of the Superior Court for the County of Los  
 28 Angeles.

1           10.   Written notice of the filing of the Notice of Removal will also be  
2 served on Wolstenholme as required by 28 U.S.C. § 1446(d).

3  
4 DATED: January 3, 2025

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7 By: /s/ Joshua M. Geller  
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